

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

BOX PCT

Washington, D.C. 20231

US APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

09/194839

09/194,839

CHIELENS

INTERNATIONAL APPLICATION NO.

1415 42

5611

JOHN S EGBERT
HARRISON & EGBERT
1018 PRESTON ST
SUITE 100
HOUSTON TX 77002

I.A. FILING DATE

PRIORITY DATE

DATE MAILED 04/14/98

04/16/97

NOTIFICATION OF ABANDONMENT

07/19/01

The United States Patent and Trademark Office in its capacity as

☒ a Designated Office (37 CFR 1.494), ☐ an Elected Office (37 CFR 1.495), has made the following determination:

- ☐ Applicant's letter of express abandonment received _____ is in compliance with 37 CFR 1.138 and is hereby acknowledged.
- ☒ Applicant has failed to provide the full U. S. Basic National Fee by ☒ 20 months (37 CFR 1.494 (b)(2)), ☐ 30 months (37 CFR 1.495 (b)(2)).
- ☐ Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein.
- ☐ Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein. See the attached NOTIFICATION OF A DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
- ☐ Other:

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.494, ☐ 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

RECEIVED

JAN 04 2002

GROUP 3600

Telephone: (703) 306-3686



Practitioner's Docket No. 1418-42

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: CHIELENS, Alain; METTAVANT, Pierre

Application No.: 09 /194,839 Group No.:

Filed: Dec. 3, 1998

Examiner:

For: CYLINDRICAL DRUM SUPPORT DEVICE

RECEIVED

28 SEP 2001

Legal staff
International Division

Intl App No. PCT/FR97/00750

Intl File Date: Apr. 14, 1998

Assistant Commissioner for Patents
Washington, D.C. 20231INFORMATION FOR WITHDRAWAL OF ABANDONMENT—PTO HAS NO
EVIDENCE THAT MAILED CORRESPONDENCE RECEIVED

NOTE: 37 C.F.R. § 1.8(b) states:

(b) In the event that correspondence is considered timely filed by being mailed . . . in accordance with paragraph (a) of this section, but not received in the Patent and Trademark Office, and the application is held to be abandoned or the proceeding is dismissed, terminated, or decided with prejudice, the correspondence will be considered timely if the party who forwarded such correspondence:

- (1) Informs the Office of the previous mailing . . . of the correspondence promptly after becoming aware that the Office has no evidence of receipt of the correspondence;
 - (2) Supplies an additional copy of the previously mailed . . . correspondence and certificate; and
 - (3) Includes a statement which attests on a personal knowledge basis or to the satisfaction of the Commissioner to the previous timely mailing. . . .
- (c) The Office may require additional evidence to determine if the correspondence was timely filed.

REQUEST

1. Applicant requests that the abandonment in this case be withdrawn.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office, (703) _____.

Date: 8-1-01

Signature

John S. Egbert

(type or print name of person certifying)

(Information for Withdrawal of Abandonment—PTO Has No Evidence That Mailed Correspondence Received

[9-35]—page 1 of 3)

PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after applicant has learned of the abandonment on the basis of:

- ☒ the Notice of Abandonment mailed by the PTO on Jul. 19, 2001
☐ applicant's own procedures in monitoring the progress of this case.



SUBMISSION

2. Submitted herewith is:

(check and complete each appropriate item below)

- ☐ A copy of the page of the response mailed on _____, showing a Certificate of Mailing executed on _____.
- ☒ A copy of the post card identifying the papers filed and showing the U.S. PTO receipt stamp dated Dec. 3, 1998.

NOTE: "A post card receipt which itemizes and properly identifies the papers which are being filed serves as prima facie evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO." § 504, M.P.E.P., 7th Edition.

- ☐ A copy of the complete response previously filed.
- ☐ A copy of the cancelled check(s) referring to the response identified above.
- ☐ A copy of the attorney's Deposit Account Statement, in which the item corresponding to the response referred to above is noted.

STATEMENT

3. Attached hereto is a statement attesting to the timely transmission of the correspondence referred to above based on:

- ☐ personal knowledge
- ☒ a showing believed to be satisfactory to the Commissioner

4. Please proceed with further examination of this application on the basis of:

- ☒ The original papers filed, which have now reached the appropriate area of the PTO.

AND/OR

- ☐ The attached copy of the papers originally filed.

REQUEST FOR WITHDRAWAL OF ABANDONMENT

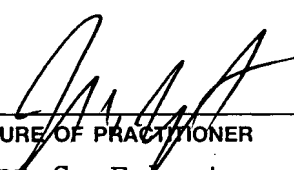
5. Acknowledgement of the active status of this application is respectfully requested.



Reg. No.: 30,627

Tel. No.: (713) 224-8080

Customer No.: 24106


SIGNATURE OF PRACTITIONER

John S. Egbert

(type or print name of practitioner)

Harrison & Egbert
412 Main St. 7th Floor

P.O. Address

Houston,, Texas 77002



Date Mailed: 12-3-98

Our File: 1418-42

Post Card No. 4543E

Commissioner of Patents and Trademarks:

Please receive stamp this post card to
show receipt of the enclosed application for Entry into
U.S. National Phase.

Inventor: Alain Chielens; Pierre Mettavant

Title: CYLINDRICAL DRUM SUPPORT DEVICE

Also enclosed is: an Oath and Power of Attorney and an
Assignment. Additionally, a Preliminary Amendment is
enclosed. Also enclosed is our Ck. No. 9732 in the
amount of \$930.00 to cover the filing fee and our Ck.
No. 9733 in the amount of \$40.00 to cover the
recording fee.

HARRISON & EGBERT

09/194839

09/194839

REC'D PCT/PTO 03 DEC 1998

028761/860



TRANSMITTAL LETTER TO THE U.S. DESIGNATED OFFICE (DO/US)—
ENTRY INTO THE U.S. NATIONAL STAGE UNDER CHAPTER I

INTERNATIONAL APPLICATION NO. PCT/FR98/00750	INTERNATIONAL FILING DATE 14 April 1998	PRIORITY DATE CLAIMED 16 April 1997
TITLE OF INVENTION CYLINDRICAL DRUM SUPPORT DEVICE		
APPLICANT(S) FOR DO/US Alain Chielens; Pierre Mettavant		

Box PCT
Commissioner of Patents and Trademarks
Washington D.C. 20231
ATTENTION: DO/US

NOTE: The completion of those filing requirements which can be made at a time later than 20 months from the priority date results from the Commissioner exercising his judgment under the authority granted under 35 USC 371(d). The filing receipt will show the actual date of receipt of the last item completing the entry into the national phase. See 37 CFR 1.491 which states: "An international application enters the national stage when the applicant has filed the documents and fees required by 35 USC 371(c) within the periods set forth in § 1.494 and § 1.495."

WARNING: Where the items are those which can be submitted to complete the entry of the international application into the national phase subsequent to 20 months from the priority date the application is still considered to be in the international stage and if mailing procedures are utilized to obtain a date the express mail procedure of 37 CFR 1.10 must be used (since international application papers are not covered by an ordinary certificate of mailing - 37 CFR 1.8 (2) (xi)).

NOTE: Documents and fees must be clearly identified as a submission to enter the national stage under 35 USC 371 otherwise the submission will be considered as being made under 35 USC 111. 37 CFR 1.494(f).

1. Applicant herewith submits to the United States Designated Office (DO/US) the following items under 35 U.S.C. 371:

- a. ☐ This express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
- b. ☒ The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees (37 CFR 1.402) as indicated below:

CERTIFICATION UNDER 37 CFR 1.10

RETAIN THIS NUMBER-CUSTOMER
RECEIPT WILL BE MAILED TO YOU.
TB183021619US

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date Dec. 3, 1998 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number TB183021619US addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

John S. Egbert

(type or print name of person mailing paper)

(Signature of person mailing paper)

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.16(b).

(Transmittal Letter to the United States Designated Office (DO/US)—Entry into National Stage Under 35 USC 371 [13-6]—page 1 of 6)

2. Fees



CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
<input type="checkbox"/> *	TOTAL CLAIMS	— 20 =		× \$ 22.00 =	\$
	INDEPENDENT CLAIMS	— 3 =		× \$ 74.00 =	
	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 230.00	
BASIC FEE**	The international search fee, as set forth in § 1.445(a)(2) to be paid to the US PTO acting as an international Searching Authority: <input type="checkbox"/> has been paid (37 CFR 1.492(a)(2)) \$ 710.00 <input type="checkbox"/> has not been paid (37 CFR 1.492(a)(3)) \$ 950.00 <input checked="" type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 CFR 1.492(a)(5)) \$ 850.00 <div style="text-align: right;">\$ 930</div>				\$ 930
	Total of above Calculations				= \$ 930
SMALL ENTITY	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed also. (note 37 CFR 1.9, 1.27, 1.28)				—
	Subtotal				\$ 930
	Total National Fee				\$ 930
	Fee for recording the enclosed assignment document \$40.00 (37 CFR 1.21(h)). (See Item 10 below). See attached "ASSIGNMENT COVER SHEET (37 CFR 3.34)".				40
TOTAL	Total Fees enclosed				\$ 970

* See attached Preliminary Amendment Reducing the Number of Claims.

****WARNING:** To avoid abandonment of the application, the applicant shall furnish to the United States Patent and Trademark Office not later than the expiration of 20 months from the priority date: *** (2) the basic national fee (see § 1.492(a)). The 20-month time limit may not be extended." 37 CFR § 1.494(b).

- i. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- ii. ☐ Please charge Account No. _____ in the amount of \$_____. A duplicate copy of this sheet is enclosed.

WARNING: If the translation of the international application, oath or declaration and national fee have not been submitted by the applicant within twenty (20) months from the priority date, the applicant will be so notified and given a period of time within which to file the translation and/or oath

(Transmittal Letter to the United States Designated Office (DO/US)—Entry into National Stage Under 35 USC 371 [13-6]—page 2 of 6)

or declaration in order to prevent abandonment. The payment of the surcharge set forth in § 1.492(e) is required as a condition for accepting the oath or declaration later than twenty (20) months after the priority date. The payment of the processing fee set forth in § 1.492(f) is required for acceptance of an English translation later than twenty (20) months after the priority date. Failure to comply with these requirements will result in abandonment of the application. The provisions of § 1.136 will apply. 37 CFR § 1.494(c) and Notice of January 7, 1993, 1147 O.G. 29 to 40, at 35.



3. A copy of the International application as filed [35 U.S.C. 371(c)(2)]:
- a. ☒ is transmitted herewith.
 - b. ☐ is not required as the application was filed with the United States Receiving Office.
 - c. ☐ has been transmitted.
 - i. ☐ by the International Bureau. Date of mailing of the application (from form PCT/IB/308): _____.
 - ii. ☐ by applicant on (date) _____.

NOTE: Section 1.494(b) was amended to require that the basic national fee and a copy of the international application must be filed with the Office by 20 months from the priority date to avoid abandonment. "The International Bureau normally provides the copy of the international application to the Office in accordance with PCT Article 20. At the same time, the International Bureau notifies the applicant of the communication to the Office. In accordance with PCT Rule 47.1, that notice shall be accepted by all designated offices as conclusive evidence that the communication has duly taken place. Thus, if the applicant desires to enter the national stage and applicant has received notice from the International Bureau, applicant need only pay the basic national fee by 20 months from the priority date." Notice of January 7, 1993, 1147 O.G. 29 to 40, at 35.

4. ☒ A translation of the International application into the English language [35 U.S.C. 371(c)(2)]:
- a. ☒ is transmitted herewith.
 - b. ☐ is not required as the application was filed in English.
 - c. ☐ was previously transmitted by applicant on (date) _____.
5. ☒ Amendments to the claims of the International application under PCT Article 19 [35 U.S.C. 371(c)(3)]:

NOTE: The Notice of January 7, 1993 indicates that 37 CFR § 1.494(d) was "amended to clarify the existing practice that PCT Article 19 Amendments must be submitted by 20 months from the priority date, which time may not be extended." This Notice further advises: "Of course, the failure to do so does not result in loss of the subject matter of PCT Article 19 amendments. The applicant may submit that subject matter in a preliminary amendment filed under Section 1.121. In many cases, filing an amendment under Section 1.121 is preferable since grammatical or idiomatic errors may be corrected." 1147 O.G. 29-40, at 35. See item 11(c) below.

- a. ☐ are transmitted herewith.
- b. ☐ have been transmitted
 - i. ☐ by the International Bureau. Date of mailing of the amendment (from form PCT/IB/308): _____.
 - ii. ☐ by applicant on (date) _____.
- c. ☒ have not been transmitted as
 - i. ☐ no notification has been received that the International Search Authority has received the Search Copy.
 - ii. ☐ the Search Copy was received by the International Searching Authority but the Search Report has not yet been issued. Date of receipt of Search Copy (from form PCT/ISA/202): _____.
 - iii. ☒ applicant chose not to make amendments under PCT Article 19. Date of mailing of Search Report (from form PCT/ISA/210.): _____.



- iv. ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

6. ☒ A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]:
- ☐ is transmitted herewith.
 - ☐ is not required as the amendments were made in the English language.
 - ☒ has not been transmitted for reasons indicated at point 5.c. above.
7. ☒ An oath or declaration of the inventor [35 U.S.C. 371(c)(4)] complying with 35 U.S.C. 115
- ☐ was previously submitted by applicant on (date) _____.
 - ☒ is submitted herewith and such oath or declaration
 - ☒ is attached to the application.
 - ☐ identifies the application and any amendments under PCT Article 19 which were transmitted as stated in points 3.b. or c. and 5.b; and states that they were reviewed by the inventor as required by 37 CFR 1.70.
 - ☐ will follow.

II. Other document(s) or information included:

8. ☒ An international Search Report or Declaration under PCT Article 17(2)(a):
- ☒ is transmitted herewith.
 - ☐ has been transmitted by the International Bureau. Date of mailing (from form PCT/IB/308): _____.
 - ☐ is not required as the application was searched by the United States International Searching Authority.
 - ☐ will be transmitted promptly upon request.
 - ☐ has been submitted by applicant on (date) _____.
 - ☐ is not transmitted as the international search has not yet issued
9. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98:
- ☐ is transmitted herewith.

Also transmitted herewith is

 - ☐ Form PTO—1449
 - ☐ Copies of citations listed
 - ☒ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. 371(c).
 - ☐ was previously submitted by applicant on (date) _____.
10. ☒ An assignment document is transmitted herewith for recording. A separate ☒ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO—1595 is also attached.
- ☒ Please mail the recorded assignment document to:
- ☒ the person whose signature and address appears below.
 - ☐ the following:

(Transmittal Letter to the United States Designated Office (DO/US)—Entry into National Stage Under 35 USC 371 [13-6]—page 4 of 6)

11. ☒ Additional documents

- a. ☒ Copy of request (PCT/RO/101)
- b. ☒ International Publication No. WO 98/46952
 - i. ☐ Specification, claims and drawing
 - ii. ☒ Front page only
- c. ☒ Preliminary amendment (37 CFR § 1.121)
- d. ☐ Other

12. ☒ The above checked items are being transmitted

- a. ☐ before the 18th month publication
- b. ☒ after publication and the article 20 communication but before 20 months from the priority date.
- c. ☐ after 20 months (revival).

NOTE: Petition to revive (37 CFR 1.137(a) or (b)) is necessary if 35 U.S.C. 371 requirements are submitted after 20 months.

13. ☐ Certain requirements under 35 U.S.C. 371 were previously submitted by the applicant on _____ (date) namely:

AUTHORIZATION TO CHARGE ADDITIONAL FEES

WARNING: Accurately count claims, especially multiple dependant claims, to avoid unexpected high charges if extra claims are authorized.

- ☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of this application to Account No. 08-0879

- ☒ 37 CFR 1.492(a)(1), (2), (3), and (4) (filing fees)

WARNING: Because failure to pay the national fee within 20 months without extension (37 CFR § 1.494(b)(2)), results in abandonment of the application, it would be best to always check the above box.

- ☐ 37 CFR 1.492(b), (c), and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 CFR 1.16(d)), it might be best not to authorize the PTO to charge additional claim fees, except possibly when dealing with amendments after final action.

- ☐ 37 CFR 1.17 (application processing fees)

WARNING: While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a) this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 CFR 1.136(a) is to no avail unless a request or petition for extension is filed" (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

- ☐ CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b).

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 CFR 1.311(b).

NOTE: 37 CFR 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying or at the time of paying . . . issue fee". From the wording of 37 CFR 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

- ☒ 37 CFR 1.492(e) and (f) (surcharge fees for filing the declaration and/or filing an English translation of an International Application later than 20 months after the priority date.



Reg. No. 30,627

Tel. No. (713) 223-4034



Signature of attorney

John S. Egbert

(type or print name of attorney)

Harrison & Egbert
1018 Preston St., Suite 100

Houston, Texas 77002

(P.O. Address)

(Transmittal Letter to the United States Designated Office (DO/US)—Entry into National Stage Under 35 USC 371 [13-6]—page 6 of 6)



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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US APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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09/194839

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CHIELENS

5611

JOHN S EGBERT
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SUITE 100
HOUSTON TX 77002

INTERNATIONAL APPLICATION NO.

LA. FILING DATE PRIORITY DATE

DATE MAILED 04/14/98 04/16/97

NOTIFICATION OF ABANDONMENT

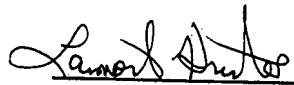
07/19/01

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☒ a Designated Office (37 CFR 1.494), ☐ an Elected Office (37 CFR 1.495), has made the following determination:

- ☐ Applicant's letter of express abandonment received _____ is in compliance with 37 CFR 1.138 and is hereby acknowledged.
- ☒ Applicant has failed to provide the full U. S. Basic National Fee by ☒ 20 months (37 CFR 1.494 (b)(2)), ☐ 30 months (37 CFR 1.495 (b)(2)).
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- ☐ Applicant has failed to properly respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed _____ within the time period set therein. See the attached NOTIFICATION OF A DEFECTIVE RESPONSE (Form PCT/DO/EO/916).
- ☐ Other:

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR ☐ 1.494, ☐ 1.495 and is ABANDONED AS TO THE UNITED STATES OF AMERICA.


Telephone: (703) 306-3686

HARRISON & EGBERT
518 PRESTON, SUITE 100
HOUSTON, TX 77002

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Box PCT
Assistant Commissioner
for Patents
Washington, D.C. 20231